

REMARKS

Claims 12–23 are pending in this application. Non-elected claims 14, 15, and 19–21 have been withdrawn from consideration by the Examiner. By this Amendment, claims 12, 14, 18, and 22 are amended, and claim 23 is added. Support for the amendments to the claims may be found, for example, in the specification at page 46, lines 9–17, and page 46, line 37 to page 47, line 16. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Claim Objections

The Office Action objects to claims 12 and 18 for various informalities. Claims 12 and 18 are amended to provide the full name for TLR4. However, Applicants respectfully submit that to recite the full name for "anti-MSRV/HERV-W Env-SU antibodies" in the claim—anti-multiple sclerosis-associated retrovirus/human endogenous retrovirus-W envelope protein soluble fraction antibodies—would be awkward, cumbersome, and perhaps not very clear. Because one of skill in the art can readily ascertain the meaning of the acronym from the specification, Applicants respectfully request that this ground of the objection be withdrawn without requiring further amendment to the claims. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

II. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 12, 13, and 16–18 as being indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claims 12 and 18 are amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are requested.

III. Enablement Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 12, 13, and 16–18 under the enablement requirement of 35 U.S.C. §112, first paragraph. By this Amendment, claims 12 and 18 are amended to (1) recite "said soluble fraction of the MSRV/HERV-W Env protein comprises the sequence set forth in SEQ ID NO:3," and (2) more specifically define the pro-inflammatory cascade. Accordingly, reconsideration and withdrawal of the rejection are requested.

Also, Applicants respectfully disagree with the Office Action's assertion, found on page 6, that "the application indicates that the term MSRV/HERV-W refers broadly to any member of the HERV-W family. Page 1, lines 34-36." Actually, this passage state, "In the subsequent description, the viruses of the MSRV/HERV-W family will be called MSRV or MSRV/HERV-W, without distinction" (emphasis added). This passage does not support the Office Action's assertion.

IV. Written Description Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 12, 13, and 16–18 under the written description requirement of 35 U.S.C. §112, first paragraph. By this Amendment, claims 12 and 18 are amended as set forth above, which obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are requested.

V. Enablement Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claim 22 under the enablement requirement of 35 U.S.C. §112, first paragraph. By this Amendment, claim 22 is amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are requested.

VI. New Claim

By this Amendment, new claim 23 is added. Claim 23 depends from claim 22 and is believed to be allowable for at least the reasons presented above for claim 22. Claim 23 reads on the

elected species. Accordingly, examination and allowance of claim 23 are respectfully requested.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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